

**TOWN OF BUCKEYE  
COMMUNITY PLANNING AND DEVELOPMENT BOARD  
TOWN COUNCIL CHAMBERS  
100 NORTH APACHE ROAD / BUCKEYE, ARIZONA 85326  
REGULAR MEETING MINUTES  
JUNE 28, 2005  
7:00 P.M.**

**1. CALL TO ORDER**

The meeting was called to order at 7:00 p.m. by Chairman Hawley.

**2. ROLL CALL**

Boardmembers Present: Boardmember Annette Napolitano, Boardmember Carol Kempiaik, Chairman John Hawley, Boardmember Jim Zwerg, and Boardmember Ruben Jiminez.

Boardmembers Absent: Boardmember Tana Wrublik

Departments Present: Town Manager Carroll Reynolds, Council Liaison Vice Mayor Urwiller, Deputy Clerk Lucinda Aja, Community Development Planner Ian Dowdy, and Community Development Director Robert Bushfield, Airport Director Jason Hardison, and Engineer Woody Scoutten.

**3. APPROVAL OF MINUTES**

Boardmember Jiminez requested the spelling of his name be corrected on May 24, 2005, Regular Meeting minutes. Motion made by Boardmember Jiminez and seconded by Boardmember Kempiaik to approve the May 24, 2005 minutes with the correction of Boardmember Jiminez' name. Motion passed unanimously.

**4. CONTINUANCES**

**4A. Falcon Creek: Corner of Southern Avenue and Oglesby Road. A04-30**

Matt Klyszieko from RBF Consulting stated that the portion not being annexed belongs to ADOT because of SR 85 improvements. The land use area plan is general commerce with residential to the south will be done by the end of July with existing structures being removed. Dietz Crane will establish an area with a possible water campus. Motion made by Boardmember Zwerg and seconded by Boardmember Kempiaik to approve the annexation of approximately one hundred fifty three (153) acres located on the southeast corner of Southern Avenue and Oglesby Road requested by RBF Consulting on behalf of American Land Holdings, LLC. Motion passed unanimously. Boardmember Carol Kempiaik, Chairman John Hawley, Boardmember Jim Zwerg,

**5. NEW BUSINESS**

**5A. Anderson Park Preliminary Plat: PP04-285**

Chairman Hawley opened the Public Hearing at 7:35 p.m. to hear citizen input on the request by Paul Gilbert on behalf of the Anderson Park Project. Their being no questions from the public Chairman Hawley closed the public hearing at 7:35 p.m. Ian Dowdy informed the Board that the 48 foot lots were replaced with 50 foot lots and staff recommends approval. Paul Gilbert stated the road width conformed to the previous compromise and was very similar to Rainbow Ranch. Stipulation J which states *"at the time of issuance of the first building permit for the project, the Developer shall pay to the Town an amount to be determined by the Town Engineer for the cost or acquiring capacity within the existing Miller Road sanitary sewer"* was removed from the request. Anderson Park project is part of Watson Road CFD and does not owe any payment to Miller Road sanitary sewer district. Mr. Gilbert also stated that the property is not zoned for Rural 43. Lower Buckeye Road will be a through road. Apache Road will be improved by the Town on the West side. The water supply requirement will be met at final plat. Boardmember Jiminez stated that the donation agreement for the schools was generous. Motion made by Boardmember Kempiaik and seconded by Boardmember Jiminez to approve Preliminary Plat for a 145.06 acre property which is located on the northwest corner of Southern Avenue and Apache Road, in the Town of Buckeye, a portion of the southeast ¼ of Section 29, Township 1 North, Range 3 West, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, with stipulation J removed from the request. Motion passed unanimously.

**5B. Preliminary Plat Mystic Vista: PP04-311**

Ian Dowdy requested that Stipulation B which states "*A Certificate of Assured Water Supply issued by the Arizona Department of Water Resources, covering all lots and parcels created, defined, or depicted on said plat shall be presented to the Community Development Department prior to processing of the final plat;*" be amended to change the word "processing" to say "recordation" to expedite processing. Stipulation Q reads "**minimum lot width is 50 feet**", and since 36 lots have lot widths of 48 feet it would be up to the discretion of the Board to accept the smaller lot widths. Mr. Kalish said that Continental Homes added several extra amenities. Don Cox from Continental Homes presented a sketch of the proposed development. There would be a large usable open space, trails that connect to the park, and several tot lots with armadas, soccer park and basketball courts. The small portion of land that was part of the annexation is not part of the development and is owned by a private party. Board requested a lighted tot lot and recreation areas with dusk to dawn lighting for safety reasons. Mr. Kalish assured the Board that the tot lots were not retention areas. Stuart Barney with D.R. Horton Continental stated that they would be glad to provide lighting for safety reasons and would work with their landscapers to accommodate the requirements. Mr. Kalish requested that the last sentence in Stipulation A be struck from the stipulation regarding the water supply being in the Buckeye District instead of correctly listed in the Valencia Water District, and the assured water supply in Stipulation B stating it will be given to Community Development prior to the approval or recordation of the final plat. Stipulation IE is contingent upon proof that the property does not lie in a flood plain, And the language in the beginning should state that if this development exists within any floodplain, a floodplain use permit would be required. Stipulation R will add "any garage front and 10 feet to any livable area".

Motion made by Boardmember Napolitano and seconded by Boardmember Rioux to approve the preliminary plat for a 145.06 acre property which is located on the northwest corner of Southern Avenue and Apache Road, in the Town of Buckeye it is a portion of the southeast ¼ of Section 29, Township 1 North, Range 3 West, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona with amendments to Stipulations A, B, IE, and R as listed above. Motion passed unanimously.

**5C. Area Plan for Evergreen Communities: AP05-02**

Bob Bushfield requested a continuance for item 5C Until the July 26, 2005 meeting because of a discrepancy with the posting of the site. Motion made by Boardmember Rioux and seconded by Boardmember Jiminez to grant a continuance for the request by Ed Bull, Burch & Cracchiolo, P.A and Evergreen Communities, LLC on behalf of Leslie, Eleanor, Stephen, and Beth Grandy for approval of an Area Plan for approximately two hundred and fifty-two (252) acres located at the Northeast Corner (NEC) and Southeast Corner (SEC) of Apache Road and Southern Avenue. Boardmember Napolitano abstained. Boardmember Kempiak, Chairman Hawley, and Boardmember Zwerg voted aye. Motion carried.

**5D. Rezone Evergreen Property: RZ05-04**

Bob Bushfield requested a continuance for item 5D Until the July 26, 2005 meeting because of a discrepancy with the posting of the site. Motion made by Boardmember Rioux and seconded by Boardmember Jiminez to grant a continuance for the rezoning request for the Evergreen Property from General Commerce and Rural Residential to Planned Residential for 238 acres to the east of the intersection of Apache and Southern Roads. Boardmember Napolitano abstained. Boardmember Kempiak, Chairman Hawley, and Boardmember Zwerg voted aye. Motion carried.

**5E. Rezone Evergreen Property: RZ05-05**

Bob Bushfield requested a continuance for item 5E Until the July 26, 2005 meeting because of a discrepancy with the posting of the site. Motion made by Boardmember Rioux and seconded by Boardmember Jiminez to grant a continuance for the Rezoning request for Evergreen to change the zoning of 13.85 acres from Rural Residential to Mixed Residential. The site is located within the northeast corner of Apache Road and Southern Avenue. . Boardmember Napolitano abstained. Boardmember Kempiak, Chairman Hawley, and Boardmember Zwerg voted aye. Motion carried.

#### **5F. Alternate Board Members**

Carroll Reynolds spoke of the new process being implemented by the Town Council. The Town Clerk has been diligently working on the book of rules and procedures. The next step is to appoint a three member committee of Council that will review applications for Boards and Committees that will be approved Thursday June 30<sup>th</sup> and will tentatively go before Council at the July 5<sup>th</sup> meeting. Two alternates will be chosen out of three applicants, Charles Thurman, Boyd Richardson, and Brenda Carson. Motion made by Boardmember Rioux and seconded by Boardmember Kempiake to grant a continuance on the appointment of alternate Board members. Motion unanimously.

#### **6. COMMENTS FROM THE PUBLIC**

Dorothy Huntsman inquired about how to obtain a building permit.

Jessett Kerr of Northwood Park spoke about her concern over the wall that was placed between the subdivision and the commercial property.

Mike Gannon of Northwood Park spoke about his concern over the wall that was placed between the subdivision and the commercial property.

#### **7. REPORTS FROM STAFF**

- Ian Dowdy introduced the interim Community Development Director, Robert (Bob) Bushfield.
- The next meeting will be on July 12, 2005.

#### **8. REPORTS FROM DEVELOPMENT BOARD**

There were no comments from the Development Board members or Chairman Hawley.

#### **9. ADJOURNMENT**

There being no further business to come before the Board motion made by Boardmember Rioux and seconded by Boardmember Jiminez to adjourn the meeting at 8:05 p.m. Motion passed unanimously.

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**John Hawley, Chairman**

**ATTEST:**

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**Lucinda Aja, Deputy Clerk**

I hereby certify that the foregoing is a true and correct copy of the Community Planning and Development Board Meeting held on the 28th day of June, 2005. I further certify that a quorum was present.